



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,527	09/03/2004	Yuichi Kanai	041-465-5243	1091
55694 7590 09/14/2009 DRINKER BIDDLE & REATH (DC) 1500 K STREET, N.W. SUITE 1100 WASHINGTON, DC 20005-1209				
EXAMINER ADEGEYE, OLUWASEUN				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
09/14/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/506,527

Applicant(s)

KANAI ET AL.

Examiner

OLUWASEUN A. ADEGEYE

Art Unit

2621

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/03/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09/03/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 07/06/2009 have been fully considered but they are not persuasive.

In re page 11, applicants argue that the cited Hirayama reference does not disclose the feature of the instant application's disclosure in that the contents group information is managed as part of the management group.

In response, the examiner respectfully disagrees. In the instant application, the contents group information is managed as part of the PIF management (page 4 of the applicants argument). Hirayama clearly discloses PIF management information (see fig. 3B).

In re page 12, applicants disclose that Hirayama does not disclose one or more combinations of the contents which are able to be reproduced.

In response, the examiner respectfully disagrees. Hirayama clearly discloses one or more combinations of the contents which are able to be reproduced (see fig. 4 and 5 and column 8, lines 51 – 67).

In re page 12, applicants disclose that the table in Hirayama does not indicate the combination of language and audio for a respective content.

In response, the examiner respectfully disagrees. Fig 8 clearly discloses a combination of language and audio for a respective content even though there might be a possibility that the contents which are to be reproduced do not support the language

which is selected. There is no limitation in the claim that says that the a language which is not able to be reproduced should not be included in the display.

In re page 14, applicants disclose that the Hirayama reference does not disclose the features of the contents group information of the instant application in that without reproducing the AV information itself, it is able to recognize (detect) a combination of the contents being included in the AV information.

In response, the examiner does not see that limitation in any of the independent claims.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hisamatsu et al (US 2002/0003815 A1) in view of Hirayama et al (US 6,128,434) .

As to **claim 1**, Hisamatsu discloses an information recording apparatus (130) for recording broadcasting information on a recording medium (133), the broadcasting information includes one or more contents, types of the contents are different from each other, and is constituted of unit information which has a predetermined amount of information (MPEG TS) (see fig. 10, [0111]) and correlation information (network identification descriptor, partial-transport stream time descriptor, broadcasting ID

descriptor) (see [140]) which indicates a correlation between the contents, the apparatus comprising:

a generating device (134) (see [107] and [126]) for generating contents group information based on the correlation information, the contents group information including identification information (PID) for identifying a relationship between the unit information and the content and type information indicating a type of the content, and

a recording device (130) for recording the generated contents group information on the recording medium (133) with the broadcasting information (see [159]) .

However Hisamatsu does not disclose a plurality of contents group information based on the correlation information and indicating one or more combinations of the contents which are able to be reproduced.

Hirayama discloses a plurality of contents group information based on the correlation information and indicating one or more combinations of the contents which are able to be reproduced (see fig. 2, fig. 4, col. 2, lines 37 - 50, col. 6, lines 31 - 51 and col. 8, line 40 - col. 9, line 9 also see fig. 8).

content and type information indicating a type of the content, the contents group information (i) being a part of the management information (see fig. 3B) (ii) indicating a contents group including the contents (see fig. 4) (iii) indicating, for a respective contents group, one or more combinations of the contents which are able to be reproduced (see column 8, lines 56 – 67).

wherein the recording device records the management information on the recording medium separately from the broadcasting information (see fig. 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added the functions of the apparatus of Hirayama to the apparatus of Hisamatsu to provide a system capable of reproducing recorded information in more than one or even two languages (see column 1, lines 26 – 30).

As to **claim 2**, Hisamatsu discloses the information recording apparatus according to claim 1, wherein the broadcasting information is broadcasted by BS digital broadcasting (see [002], [033], [056] and fig. 1) and the correlation information is a descriptor broadcasted by BS digital broadcasting (network identification descriptor, partial-transport stream time descriptor, broadcasting ID descriptor) (see [140]).

As to **claim 3**, Hisamatsu discloses an information reproducing apparatus for reproducing the broadcasting information from the recording medium on which the contents group information is recorded with the broadcasting information by the information recording apparatus of claim 1 or 2, the reproducing apparatus comprising:

a selecting device (125, 425) which selects a content to be reproduced before the broadcasting information is reproduced (see [124] – [126] and [159] – [161]), and

a generating device (134) (see [107], [126] and [161]) which generates a display signal for displaying contents of the contents group information corresponding to the contents group including the selected content.

As to **claims 4 – 6**, these are method claims corresponding to the apparatus claims 1 - 3. Therefore, claims 4 - 6 are analyzed and rejected as previously discussed with respect to claims 1 – 3.

As to **claims 7 – 9**, these are computer program claims corresponding to the apparatus claims 1 - 3. Therefore, claims 4 - 6 are analyzed and rejected as previously discussed with respect to claims 1 – 3. Paragraph 66 and 76 discloses software.

As to **claim 10**, Hisamatsu discloses an information recording medium, wherein the information recording program of claim 7 or 8 is recorded so as to be read by a recording computer (see [066] and [076]).

As to **claim 11**, Hisamatsu discloses an information recording medium, wherein the information reproducing program according to claim 9 is recorded so as to be read by a reproducing computer (see [066] and [076]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUWASEUN A. ADEGEYE whose telephone number is (571)270-1711. The examiner can normally be reached on Monday - Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621

09/09/09

/O.A/